

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

HANNAH PRIDDY,
Plaintiff,

Case No.: 2:22-cv-00474-SCD

v.

**DR. NOAH'S ARK VETERINARY CLINIC,
NOAH ARNOLD, ABC INSURANCE
COMPANY,**

Defendants,

**MOTION FOR SUMMARY JUDGMENT
PURSUANT TO RULES 25(a) and 56, FED. R. CIV P.**

TO: All Parties

This Motion is made pursuant to Fed. R. Civ. P. 25(a) and 56 and is brought upon the grounds that the Plaintiffs cannot support their claims as a matter of law.

The above-named defendant, appearing specially, Noah Arnold, by his attorney, Neal C. Schellinger, hereby moves the Court to dismiss the action against the deceased Noah Arnold because it has been more than 306 days since the Suggestion of Death and no party has moved to substituted the Estate of Noah Arnold by his personal representative, Joshua Schulman, as the proper party defendant pursuant to F.R.C.P. 25(a).

As further grounds for dismissal pursuant to F.R.C.P. 56, the defendant moves for dismissal based upon claim preclusion because the probate court's judgment disallowing all claims against Noah Arnold and his Estate and determining the estate is a deficit estate bars any claim against the estate and renders the lawsuit against Noah Arnold moot.

Dated at Waukesha County, Wisconsin this 9th day of March, 2023.

SCHELLINGER & ASSOCIATES, LLC
Attorneys for the Defendant, appearing specially,
Noah Arnold.

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s/*Neal C. Schellinger*
By: _____
Neal C. Schellinger
State Bar No.: 1000034